

Remarks

Claims 9-15 and 17-22 are pending in the application. Claim 9 is amended by this paper to add the proviso that the immunogen derived from *A. marginale* “is not isolated or recombinant MSP1b”. All other remaining claims, namely claims 10-15 and 17-22, all depend, directly or indirectly, from amended claim 9.

The amendment is akin to the recent amendment made in Applicant’s copending related application Serial No. 10/285,319. In that case, the Examiner requested approval from Applicant to amend the base claim to add the proviso that the immunogen “is not MSP1B”, which amendment placed the application in condition for allowance. Here, the amended language explicitly states that the immunogen “is not isolated or recombinant MSP1b,” which is implicit in the related case.

The amendment places the present application in condition for allowance insofar as the prior art does not disclose or teach a vaccine composition for inducing an immune response in a ruminant, said vaccine composition comprising: recombinant MSP1a in combination with an immunogen derived from *A. marginale*, wherein said immunogen is not isolated or recombinant MSP1b, and said vaccine composition further comprises a pharmaceutically acceptable carrier or diluent.

Supplemental IDS

Attached is a Form PTO-1449 listing additional references to be made of record in this case. The purpose of this Supplemental IDS is to accord the references of record between this case and copending related application Serial No. 10/285,319. None of the references are believed to be

material to patentability. Applicant understands an additional charge of \$180 (Fee Code 1806) will be charged to the noted account.

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Considering the foregoing, it is sincerely believed that this case is in a condition for allowance, which is respectfully requested.

This paper is intended to constitute a complete response to the outstanding Office Action. Please contact the undersigned if it appears that a portion of this response is missing or if there remain any additional matters to resolve. If the Examiner feels that processing of the application can be expedited in any respect by a personal conference, please consider this an invitation to contact the undersigned by phone.

Respectfully submitted,



SIGNATURE OF PRACTITIONER

12/16/04
DATE

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